

**CHAPTER NO. 184**

**SENATE BILL NO. 176**

**By Black**

**Substituted for: House Bill No. 96**

**By Overbey, Eldridge**

AN ACT to amend Tennessee Code Annotated, Title 68, relative to liability insurance for long-term care facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-254(a), is amended by deleting the word "and" at the end of subdivision (2); by deleting the period at the end of subdivision (3) and substituting instead a semi-colon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(4) A statement indicating whether the facility has liability insurance and the identity of the primary insurance carrier. If the facility is self-insured, the statement shall reflect that fact and indicate the corporate entity responsible for payment of any claims.

SECTION 2. Tennessee Code Annotated, Section 68-11-910(a), is amended by deleting the word "and" at the end of subdivision (4); by deleting the period at the end of subdivision (5) and substituting instead a semi-colon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(6) A statement indicating whether the facility has liability insurance and the identity of the primary insurance carrier. If the facility is self-insured, the statement shall reflect that fact and indicate the corporate entity responsible for payment of any claims.

SECTION 3. Tennessee Code Annotated, Section 68-11-257, is amended by adding a new subsection (d) as follows:

(d)(1) In addition to any other disclosure required by this part, prior to the admission of a resident to an assisted-care living facility or residential home for the aged regulated pursuant to this chapter or prior to the execution of a contract for the care of a resident in such a facility, whichever occurs first, the facility shall disclose in writing to the resident or to the resident's guardian, conservator or representative, if any, whether the facility has liability insurance and the identity of the primary insurance carrier. If the facility is self-insured, their statement shall reflect that fact and indicate the corporate entity responsible for payment of any claims.

(2) The information required to be disclosed in subsection (d) shall be posted on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height and displayed at the main public entrance.

SECTION 4. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 5, 2005

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 19<sup>th</sup> day of May 2005

  
PHIL BREDESEN, GOVERNOR